

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BRIAN KRITCHER,

Plaintiff

Case No. 2:16-cv-12637

v.

Honorable _____

PRUDENTIAL SECURITY, INC. and
GREGORY WIER,

Defendant s

BRYAN YALDOU (P70600)
OMAR BADR (P70966)
Law Offices of Bryan Yaldou, PLLC
Attorney for Plaintiff
23000 Telegraph Rd., Ste 5
Brownstown, MI 48134
(734) 692-9200

DOMINIC N. HAMDEN (P67745)
Law Office of Dominic N. Hamden
Attorney for Defendants
18 W. Main St.
Milan, MI 48160
(734) 439-8884

Affirmative Defenses

Defendants may rely on the following affirmative defenses should this matter proceed to trial:

1. Plaintiff has failed to state a claim upon which relief may be granted;
2. Plaintiff has been compensated for their wages;
3. Any alleged class is of insufficient size to be approved for certification;
4. Certification of a class is not appropriate in this matter.
5. Plaintiff has failed to include a necessary party to this cause of action;
6. Defendant was not an employer of the Plaintiffs;
7. Plaintiff was not an employee of the Defendant;
8. Plaintiff has failed to meet the necessary requirements to qualify for a class action;
9. Defendant Wier is not a proper Defendant in this case as he was never acting within his individual capacity;

10. Plaintiff was paid all wages due in this case;
11. Plaintiff is without damages.
12. Statute of Limitations;
13. Statute of Frauds; and
14. Defendant reserves the right to amend these affirmative defenses.

Dated: October 3, 2016

/s/ Dominic N. Hamden

Dominic N. Hamden (P67745)

Attorney for Defendants

18 West Main St.

Milan, MI 48160

Phone: (734) 439-8884

Fax: (734) 439-1254

dominichamden@gmail.com